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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/762,215	01/21/2004	Timothy Ford	055189-0012	2192
20572	7590	10/04/2006		
GODFREY & KAHN S.C. 780 NORTH WATER STREET MILWAUKEE, WI 53202			EXAMINER MAY, ROBERT J	
			ART UNIT	PAPER NUMBER
			2875	

DATE MAILED: 10/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/762,215

Applicant(s)

FORD ET AL.

Examiner

Robert May

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32, 35, 37, 84-89, 91-95, 97-109 and 111-138 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10, 13-27, 29-31, 35, 37, 84-89, 91-95, 107-109, 111, 117-119, 121, 123-126, 137 and 138 is/are rejected.
- 7) ☒ Claim(s) 11-12, 28, 32, 97-106, 112-116, 120, 122, and 127-136 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 1/21/04 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Allowability Withdrawn

The indicated allowability of claims 84-95, 107-109, 111-117 and 119, 121, 123-126 is withdrawn in view of a new basis of rejection.

Claim Objections

Claim 29 is objected to because "said anti-tipping elements" lack antecedent basis.

Claim 98 "wherein said" (second occurrence) should be deleted.

Claim 91 is the same as Claim 111 and will not be allowed in view thereof.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 95, 107, 108, 109, 119, 121, 123, 125, 137, and 138 are rejected under 35 U.S.C. 102(b) as being anticipated by Herrick.

Regarding Claim 95, Herrick discloses in Figure 1, a base plate 12 comprising a surface mounting face for co-acting with a surface (i.e. a helmet), an auxiliary element

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50 movably mounted thereto, and a light carrying plate 22 comprising a proximal end mounted to said base plate and being adapted for mounting a light 28 thereon.

Regarding Claim 107, Herrick discloses in Figure 2, an auxiliary element 50 seen to be an anchoring element since it securely attaches the plate 24 to the base.

Regarding Claim 108, the sides of element 50 are surface mounting faces.

Regarding Claim 109 Herrick discloses in Figure 2 the proximal end of the light carrying plate 22 as being pivotally mounted to the base plate 12.

Regarding Claim 119, Herrick discloses in Figures 2 and 3, a light support comprising a base plate 12 comprising an anchoring element 54 adapted to be anchored within a penetrable material (the member 52), a surface mounting face for co-acting with a surface (helmet surface), an auxiliary element 46a, 46b and the anchoring element 54 extending from one side of the base plate and the auxiliary element 46a, 46b extending from the opposite side of the base plate 12, and a light carrying plate 22 comprising a proximal end 50 mounted to said base plate 12 being adapted for mounting a light thereon.

Regarding Claims 121, 123, and 137, Herrick discloses in Figure 1, 46a and 46b that are seen to be an auxiliary anchoring element (it anchors member 50 to the base plate) and an auxiliary support mounting element 46a (it supports member 50).

Regarding Claim 125, Herrick discloses the auxiliary element as having fastener-receiving apertures for receiving a fastener.

Regarding Claim 138, an inner side of auxiliary element 46a is seen to comprise a surface mounting face.

Claims 84-89, 92 and 118 are rejected under 35 U.S.C. 102(b) as being anticipated by Yu (5,816,684). Regarding Claims 84, 92 and 118, Yu discloses in Figure 1, a light support comprising a base plate 22 comprising an anti-tipping assembly 32 pivotally mounted thereto at 34, a surface mounting surface (curved surface accommodating surface of flashlight body 20), and a light carrying plate (flat base of cup shaped member of 36) wherein its proximal end 28 is pivotally mounted to said base plate 22 and adapted for mounting a light (flashlight) thereon. Yu furthermore discloses the base plate 22 comprising an anchoring element 40 as required by Claim 84.

Regarding Claims 85-89, Yu discloses in Figure 1, the anti-tipping member 32, as being a pair of leg members having a curved configuration that is pivotally attached to the base member 22 at 34.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7, 13, 17, 19-20, 24-25, and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Whittington (US Pat 5,954,426) in view of Herrick.

Regarding Claims 1, 3-6, and 24-25, Whittington discloses in Figure 3, a lamp having a base plate 24 comprising an anchoring element 26 as part of the base plate

and configured to penetrate an earthen material, a surface mounting face (bottom of base plate 24) for co-acting with a surface.

Whittington fails to disclose the anchoring elements as being integrally formed with base plate. However, using a one piece construction would reduce the part count of the support and it would have been obvious to have the anchor 26 be formed integrally with the base plate 24 because the use of a one piece construction instead of the structure disclosed in the prior art would be merely a matter of obvious engineering choice see *In re Larson*, 340 F.2d 965, 968, 144 USPQ 347.

Whittington fails to show a light carrying plate with a light receiving face and light receiving elements comprising a proximal end mounted in a pivotal manner to said base plate near an opposite side of said base plate and being adapted for mounting a light thereon. Herrick discloses in Figure 1 a light support comprising a light carrying plate 22 with a light receiving face 24,26 and light receiving elements 34 wherein the proximal end 50 is mounted to said base plate in a pivotally manner on the opposite side of the base plate for mounting a light thereon so that the light can be manipulated and the direction of light can be adjusted. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the lamp of Whittington with the pivoting light carrying plate mounted near an opposite side of the base plate of Herrick so the lamp can be manipulated and the direction of the light can be adjusted.

Regarding Claim 2, Whittington discloses in Figure 3, the anchoring element 26 as being tapered.

Regarding Claims 6-7, Whittington fails to disclose the proximal end comprising a cylindrical body portion, an aperture for receiving a pivot member wherein the base plate comprises a pair of spaced apart pivot member receiving elements wherein the pivot member is mounted at each longitudinal end to a respective said receiving element. Herrick discloses in Figure 1 the proximal end 50 comprising a cylindrical body portion, an aperture (hole in which pivotal member 40 is inserted) for receiving a pivot member 40 and the base plate 12 comprising a pair of spaced apart pivot member receiving elements 46a, 46b with the pivot member 40 (bolt) being mounted at each longitudinal end to a respective said receiving element 46a, 46b for establishing a pivotal connection between the proximal end and the base plate. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the light support of Whittington with the aperture for receiving a pivot member and the spaced apart pivot member receiving elements of Herrick for establishing a pivotal connection between the proximal end and the base plate.

Regarding Claim 13, Whittington fails to explicitly disclose the surface mounting face as comprising a fastener-receiving aperture. Herrick discloses in Figure 1, the surface mounting face as comprising a fastener-receiving aperture 58 for securing the base plate to a surface using a screw, or the like, element. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the surface mounting face of Whittington with the aperture of Herrick in the base plate 24 so that the lamp can be secured to a surface using a screw like element in addition to the integrally formed anchors.

Regarding Claims 19-20, Whittington fails to disclose the surface mounting face as having a curved or concave structure. Herrick discloses in Figure 2, the surface mounting face having a curved structure for affixing to a curved or convex surface. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the surface mounting face of Whittington with the curved face of Herrick so that the lamp can be mounted to a curved or convex surface.

Regarding Claim 31, Whittington discloses in Figure 3, a lamp having a base plate 24 comprising an anchoring element 26 formed integrally as part of the base plate and configured to penetrate an earthen material, a surface mounting face (bottom of base plate 24) for co-acting with a surface. Whittington fails an auxiliary element and a light carrying plate comprising a proximal end mounted to the base plate and adapted for mounting a light thereon. Herrick discloses in Figure 4 a light support comprising an auxiliary element 50, a light carrying plate 22 having its proximal end mounted to said base plate 12 and adapted for mounting a light 28 thereon for adjusting the direction of the light emitted. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the light support of Whittington with the auxiliary element and light carrying plate of Herrick adapted for receiving a light so that the direction of the light emitted can be adjusted.

Claims 8-10, 14, 18, are rejected under 35 U.S.C. 103(a) as being unpatentable over Whittington and Herrick as applied to Claims 1-8 and further in view Ciesun.

Regarding Claims 8-10, Whittington and Herrick fail to disclose a cylindrical member pivotally mounted to said base plate and pivotal about a longitudinal axis body

portion with a series of ridges on the outer surface thereof disposed on the proximal end of the light carrying plate or a rib disposed at the proximal end receiving portion for interfering or engaging with the ridges of the cylindrical body. Ciesiun discloses in Figure 1, a device for securing a lighting apparatus to a mask wherein a hinge portion has a series of ridges 28 upon a cylindrical portion 24 which rotates along a longitudinal axis for minimizing movement of the lighting apparatus during use (Col 3, Lines 33-36) that engages with a cooperating portion of the lighting apparatus (Col 3, Lines 34-36) which would be obvious to one of ordinary skill to include a rib like protrusion to interfere with the ridges. Furthermore, the shifting in position of the ridges 28 from the cylindrical receiving portion of Ciesiun to the cylindrical body of the pivotal member of Herrick does not modify the operation of the device and is therefore considered obvious see *In re Japikse*, 181 F.2d 1019. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the cylindrical body of Whittington and Herrick with the surface defined ridges 28 of Ciesiun and a rib like member on the proximal end receiving portion 14 of Ciesiun in order to minimize movement of the lighting apparatus during use.

Regarding Claims 14 and 18, Whittington does not disclose a strap member-receiving aperture disposed on the base plate 12 or surface mounting face, Ciesiun discloses in Figure 1 a strap receiving aperture 20 for mounting a lamp to a paintball mask which is disposed upon the base member 12. It would have been obvious to modify the teachings of Whittington by adding a belt receiving aperture in order to have a light support that could be easily attached or detached without having to remove fasteners in order to detach the light support. Therefore it would be obvious to one of

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ordinary skill to modify the light support of Whittington with the belt strap apertures of Ciesiun because it would provide for a support that could be easily attached or detached from a helmet or hood.

Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Whittington and Herrick applied to claim 1 above, and further in view of Diau. Whittington fails to disclose a magnetic element on the surface mounting face. Diau discloses a working light where a magnetic material 4 is located on the mounting face as an easily detachable securing means. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the surface mounting face of Herrick with the magnetic material 4 of Diau so as to provide an easily detachable securing means.

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Whittington and Herrick and as applied to claim 1 above, and further in view of Allen. Whittington fails to disclose a light support as recited in Claim 1 wherein the surface mounting face comprises a suction element. Allen discloses a portable light with a base plate and a suction cup 22 so the portable light can be easily attached to smooth surfaces, such as a car window (Col 3, Lines 22-25). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the surface mounting face of Herrick with the suction element of Allen so that the light support can be mounted to smooth surfaces such as car windows.

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable under 35 U.S.C. 103(a) over Whittington and Herrick as applied to Claim 1, and further in view of Yu (US Pat. 6,877,875). Whittington fails to disclose a light support where the support mounting face comprises a pad member. Yu discloses a foam pad 22 in Figure 2, which is generally known by one of ordinary skill to provide an acceptable level of comfort to the user when a head worn apparatus is used. Furthermore, it would be generally obvious to one of ordinary skill to have a compressible pad member or gasket on the surface mounting face of Herrick in order to provide for a waterproof seal to prohibit water from leaking into the helmet and for reducing shock to the light holder of Herrick. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the head worn light support of Herrick with the pad member of Yu in order to provide an acceptable level of comfort to the user as well as have a sealed waterproof joint and reduce shock to the light holder.

Claims 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Whittington and Herrick as applied to Claim 1 and further in view of Mosquera (US Pat. 5,893,630).

Regarding Claim 22, Whittington fails to disclose a light plate receiving plate opposite the support-mounting face where the light carrying plate is movable towards and away from the light plate-receiving face. Mosquera discloses in Figures 1-3 a flashlight holding and positioning device where the light holding plate 12 engages with the light plate receiving surface of the base 10 when the apparatus is in the closed position and the light holding plate pivots away from the plate receiving surface.

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Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have a surface, which engages or receives the light holding plate in order to better secure the light holding plate to prevent any lateral movement of the light holding plate.

Regarding Claim 23, Whittington fails to disclose a light support where the light receiving face comprises a pair of finger members for snugly fitting said light carrying plate to the light receiving face when light-carrying plate is in a folded position.

Mosquera discloses a pair of fingers (along each side of the base 10, as pointed out in the figure below) for securing the light carrying plate 12. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the base plate of Herrick with the finger members of Mosquera to secure the light carrying plate.

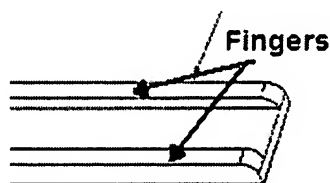


FIGURE 3

Claims 26-27, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Whittington and Herrick as applied to Claim 1 and further in view of Garbs (US Pat 1,772,439). Whittington fails to disclose a base comprising an anti-tipping assembly that is pivotally mounted to the base plate. Garbs discloses an anti-tipping assembly (suction element 10 in Figure 1 attached to as base 14) that is pivotally mounted (at 16) to the base plate 14 for securing the light temporarily (Page 1,

lines 1-5) to most surfaces and allowing the light direction to be adjusted. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the base of Herrick by adding the anti-tipping assembly of Garbs so that the light can be secured temporarily to surfaces and the light direction adjusted.

Claims 26-27 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Whittington and Herrick as applied to Claim 1, and further in view of Kung (US Pat 6,669,353). Whittington fails to disclose the base plate as comprising an anti-tipping assembly comprising an anti-tipping element which is a leg member. Kung discloses in Figure 1, anti-tipping assembly 7 comprising an anti-tipping leg 38 that can be detachably affixed to a base plate 16 so that the light can be supported in a number of environments (Col 2, lines 5-6). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the base plate of Herrick with the anti-tipping assembly comprising two legs of Kung so that the light support can be supported on a horizontal surface.

Claims 35 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Whittington and Herrick as applied to claim 31 and further in view of Dugmore. Whittington fails to disclose the auxiliary element mounted to said surface mounting face. Dugmore discloses in Figure 1, an auxiliary element 18 that is mounted to the surface mounting face that comprises strap-receiving apertures 72 for mounting the light support to a head of a wearer. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the light support of

Whittington with the auxiliary element of Dugmore comprising strap receiving apertures mounted to the surface mounted face so that the light support can be mounted to the head of a wearer.

Claims 84, 91-92, 111, and 117 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dugmore in view of Herrick.

Regarding Claims 84, 92, and 111, Dugmore discloses in Figure 1, a light support comprising a base plate 16, comprising an anchoring element 58 (aperture and nail or screw for nailing or screwing the base plate to a surface Col 4, lines 5-7), an anti-tipping assembly 40 (magnet and spigot 30 for securing the base plate to a metallic surface Col 3, lines 65-68), which resists the light support tipping over when the light support is on a horizontal surface and a surface mounting face (shown, not labeled). Dugmore fails to disclose a light carrying plate adapted for carrying a light thereon comprising a proximal end mounted to said base plate in a pivotal manner. Herrick discloses a light support comprising a light carrying plate 22 having a proximal end 50 mounted to the base plate in a pivotal manner adapted for mounting a light 28 thereon for holding a flashlight type of light source and allowing direction adjustment thereof. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the light support of Dugmore with the light carrying plate with proximal end mounted to the base plate in a pivotal manner for holding a flashlight type of light source and allowing the directional adjustment thereof.

Regarding Claim 91, Dugmore discloses the anchoring member (nail for securing the base plate Col 4, lines 5-7) extending from one side of said base plate 16, and the

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anti-tipping assembly (magnet 40 and spigot 30) mounted to an opposite side of the base plate 16.

Claims 93-94 are rejected under 35 U.S.C. 103(a) as being unpatentable over Herrick in view of Kung. Herrick discloses in Fig's 1 and 1A a light support with a base plate 12 comprising a concave surface mounting face 16 for co acting with a surface (a curved helmet surface), a light carrying plate 10 adapted for receiving a lamp 28 which is mounted at it's proximal end to the base plate 12, and an anchoring element 54 adapted to be anchored within a penetrable material. Herrick fails to disclose the base plate comprising an anti tipping assembly comprising two anti-tipping legs mounting to the base plate. Kung discloses in Figure 1, anti-tipping assembly 7 comprising two anti-tipping legs 38 that can be detachably affixed to a light so that the support can be supported in a number of environments (Col 2, lines 5-6). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the light support of Herrick with the anti-tipping assembly comprising two legs of Kung so that the light support can be supported on a horizontal surface.

Claims 119, 124, and 126 are rejected under 35 U.S.C. 103(a) as being unpatentable over Herrick in view of Dugmore.

Regarding Claim 119 and 124, Herrick comprises the base plate with an anchoring element, surface mounting face and light carrying plate as discussed above, but lacks an auxiliary element comprising an aperture. Dugmore discloses the auxiliary element 18 as comprising an auxiliary support-mounting element 72 (apertures for receiving straps or fasteners) for affixing the light support to a forehead of a wearer. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the light support of Herrick with the apertures of Dugmore for affixing the light support to the forehead of a wearer.

Regarding Claim 126, Dugmore discloses the auxiliary element 18 as being movably attached to the base plate 16 for alternatively fixing the base plate to a forehead of a wearer. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the light support of Herrick with the movably attachable auxiliary element of Dugmore so that the light support can be affixed to a forehead of a wearer.

Response to Arguments

Applicant's arguments with respect to claims 1 and 31 have been considered but are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

Claims 11-12, 28, 32, 85-89, 97-106, 112-116, 120, 122, and 127-136 are objected to as being dependent upon a rejected base claim, but would be allowable if

rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding Claim 11, the prior art does not teach or show the claimed light support with a proximal end receiving portion comprising a notch adjacent said rib.

Regarding Claim 12, the prior art does not teach or show the surface mounting face spanning a common face defined by said base plate and said anchoring element.

Regarding Claim 28, the prior art does not teach or show the anchoring element extending from one side of the base plate and anti-tipping elements mounted to an opposite side of said base plate.

Regarding Claim 32, the prior art does not teach or show the light support as claimed wherein said surface mounting face spans a common face defined by said base plate, said anchoring element, and said auxiliary element.

Regarding Claims 85-89 and 112-116, the prior art does not teach or show the anti-tipping member being one of a leg member, finger member, tab member, a barb member and a combination thereof.

Regarding Claims 97-106, and 127-136 the prior art does not teach or show the base plate as defining a cavity for slidably receiving said auxiliary element therein as required by Claims 97 and 127.

Regarding Claim 120, the prior art does not teach or show a surface mounting face spanning a common face defined by said base plate, said anchoring element, and said auxiliary element.

Regarding Claim 122, the prior art does not teach or show the auxiliary element as a support mounting element mounted to said surface mounting face in combination with the structure of Claims 119.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert May whose telephone number is (571) 272-5919. The examiner can normally be reached between 9 am– 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax number for the organization where this application or proceeding is assigned is (571) 273-8300 for all communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval PAIR system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RM

9/19/06



RENEE LUEBKE
PRIMARY EXAMINER